

AMENDED IN SENATE MAY 12, 2010

SENATE BILL

No. 1375

Introduced by Senator Price

February 19, 2010

An act to amend Section 2883 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1375, as amended, Price. Telephone corporations: residential telephone service: ~~911~~ "911" calls.

~~Existing~~

(1) *Existing* law requires all local telephone corporations, excluding providers of mobile telephony service and mobile satellite telephone service, to the extent permitted by existing technology or facilities, to provide every existing and newly installed residential telephone connection with access to "911" emergency service regardless of whether an account has been established.

This bill would instead require local telephone corporations to provide ~~a connection that has the capacity to place a "911" call rather than providing every subscriber of tariffed residential basic exchange service, rather than every existing and newly installed residential telephone connection, with access to "911" emergency service.~~

(2) *Existing law requires telephone corporations to inform subscribers of the availability of "911" emergency service in a manner determined by the Public Utilities Commission.*

This bill would delete that requirement and instead would require telephone corporations to inform residential subscribers who have received notice of suspension or disconnection of service for nonpayment of certain information, including options to avoid suspension or

disconnection of service and the availability of “911” emergency service.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2883 of the Public Utilities Code is
2 amended to read:

3 2883. (a) (1) *The Legislature finds and declares all of the*
4 *following:*

5 (A) *As originally enacted, Section 2883 required local telephone*
6 *corporations to provide a residential telephone connection with*
7 *no customer account attached, also known as a warm line, access*
8 *to “911” emergency service. This section took effect in 1995 when*
9 *basic local exchange telephone service was provided exclusively*
10 *by incumbent wireline providers operating within their franchise*
11 *territories. Local exchange competition was nonexistent and*
12 *wireless telephones were expensive and not in widespread use.*

13 (B) *At that time, the number of warm lines was very small. The*
14 *practice of leaving warm lines in place continued the availability*
15 *of “911” emergency service upon disconnection and permitted*
16 *new residential service orders to be completed with minimum cost*
17 *and delay.*

18 (C) *In recent years, the providers of warm line service have lost*
19 *a significant percentage of their customer base to competitors.*
20 *Today, the number of warm lines in California has increased in*
21 *proportion to the loss of wireline customers. An estimated*
22 *2,000,000 warm lines exist today and that number continues to*
23 *grow.*

24 (D) *Rather than being converted to new active service accounts,*
25 *many warm lines remain in place indefinitely, even when customers*
26 *switch to other voice carriers that provide “911” emergency*
27 *service access. As warm lines age, deterioration can create shorts*
28 *in these lines that trigger “911” calls, also known as phantom*
29 *“911” calls because there is no person making the call.*

30 (E) *Responding to phantom “911” calls places a drain on public*
31 *safety resources including increased costs for public safety*
32 *responders. In addition, the state pays providers on a monthly*
33 *basis, based on volume, to maintain number and location records*

1 in the state “911” database, including the records for increasing
2 numbers of warm lines.

3 (F) The cost to local telephone companies to energize and
4 maintain warm lines is the same as for active service accounts.
5 Energy provided to warm lines at residences where access to
6 “911” emergency service is being obtained through a different
7 provider is a waste of limited natural resources.

8 (2) It is the intent of the Legislature to amend Section 2883 in
9 a manner that continues to provide a public safety net in a
10 competitive telecommunications market, eliminates phantom “911”
11 calls, conserves energy for productive uses, and limits costs to the
12 state, local governments, and local telephone corporations.

13 (b) All local telephone corporations, excluding providers of
14 mobile telephony service and mobile satellite telephone service,
15 as defined in Section 224.4, to the extent permitted by existing
16 technology or facilities, shall provide every ~~existing and newly~~
17 ~~installed residential telephone connection with a connection that~~
18 ~~has the capacity to place a “911” call regardless of whether an~~
19 ~~account has been established.~~ subscriber of tariffed residential
20 basic exchange service with access to “911” emergency service.

21 ~~(b)~~
22 (c) The commission shall prohibit any corporation from
23 terminating a ~~connection~~ access to services described in subdivision
24 ~~(a)~~ (b) for nonpayment of any delinquent account or indebtedness
25 owed by the subscriber to the telephone corporation. A subscriber
26 and a telephone corporation may arrange payment schedules to
27 regain full service.

28 ~~(e) The commission shall require telephone corporations to~~
29 ~~inform subscribers of the availability of the services described in~~
30 ~~subdivision (a) in a manner determined by the commission.~~

31 (d) A local telephone corporation shall inform residential
32 subscribers who have received a notice of suspension or
33 disconnection of service for nonpayment of all of the following
34 information:

35 (1) The availability of the “911” emergency service described
36 in subdivision (b).

37 (2) Options that may be available to avoid suspension or
38 disconnection of service.

1 (3) *Other options that may be available for obtaining access to*
2 *“911” emergency service consistent with a customer education*
3 *program, if adopted by the commission.*

4 ~~(d)~~

5 (e) This section shall not be construed to relieve any person of
6 an obligation to pay a debt owed to a telephone corporation.

7 ~~(e)~~

8 (f) This section ~~not shall~~ *shall not* require a local telephone
9 corporation to provide ~~connections that have the capacity to place~~
10 ~~“911” calls~~ *“911” access pursuant to this section* if doing so would
11 preclude providing service to subscribers of residential telephone
12 service.